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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 99-499)

In the Application of:

Chou et al.

Serial No.: 08/903,944

Filing Date: July 31, 1997

For: Production of Transgenic Poinsettia

Examiner: D. Fox

Group Art Unit: 1638

SUPPLEMENTAL RESPONSE TO THE FINAL OFFICE ACTION MAILED AUGUST 8, 2001

Box AF  
Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Please consider the following amendments and remarks made in response to the Office Action mailed August 8, 2001.

**AMENDMENTS**

In the claims:

Please amend the claims as follows:

- Five*
- (~~Four~~ Times Amended) A method for producing transgenic poinsettia plants, comprising:
- (a) incubating poinsettia plant tissue explants that produce reddish epidermal callus on auxin- and cytokinin-containing callus induction medium;
  - (b) culturing reddish epidermal callus on embryo induction medium comprising casein hydrolysate and  $\text{NH}_4^+$  and/or  $\text{NO}_3^-$  to form embryogenic callus;
  - (c)
    - (i) introducing an expression vector into said incubating embryogenic callus to produce transformed embryogenic callus, wherein said expression vector comprises a selectable marker gene and a second foreign gene, or

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I hereby certify that this correspondence is being transmitted via facsimile to the Commissioner for Patents, Washington D.C. 20231, (fax no. 203-746-5060) on November 9, 2001.

Date: November 9, 2001

Michael S. Greenfield